

**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, D.C. 20554**

In re	)		
	)		
BUGGS ISLAND TELEPHONE	)		CC Docket No.
		96.45	
COOPERATIVE	)		
	)		
Petition for Waiver of Deadline	)		
In 47 C.F.R. 54.313 / 54.314	)		

**WAIVER – EXPEDITED ACTION REQUESTED**

**PETITION OF BUGGS ISLAND TELEPHONE COOPERATIVE  
FOR WAIVER OF DEADLINE IN 47 C.F.R. 54.313 /54.314**

This letter is a petition for a waiver with the Federal Communications Commission (FCC) for Buggs Island Telephone Cooperative's submission of an annual USF certification due to the Federal Communication Commission (FCC) and the Universal Service Administration Company (USAC) by October 1, 2005, certifying that rural incumbent local exchange carriers and/or eligible telecommunication carriers serving lines in the service support in a manner consistent with section 245 (e) of the Telecommunications Act of 1996 (the Act), 47 U. S. C. 254 (e). In order for carriers to receive federal support beginning January 1 of each year, the Commission's certification must be filed with the FCC and USAC by October 1 of the preceding year. Buggs Island Telephone Cooperative is requesting that the Commission accepts its October 3, 2005 certification as timely. This certification was post marked by certified mail with the U.S. Postal Service on September 29, 2005. USAC received this on October 3, 2005. Buggs Island Telephone's person responsible for these types of certifications left our company in July of 2005. We are in the process of hiring someone to take that position and in the interim, we read the rules that this was to be submitted on October 1<sup>st</sup>, or reasonably assuming that meant post marked by October 1. In a good faith effort to file a timely report, Buggs Island Telephone mailed their certification two days prior to the due date, also assuming that October 1, 2005 fell on a Saturday leaving the next business day to be Monday, October 3.

Buggs Island Telephone understands very well the extreme importance of timely data and certification filings and regrets that an error of omission occurred in the October 1 annual filing of its certification to USAC. The Commission will find that Buggs Island Telephone has an otherwise excellent track record of meeting all data and certification deadlines. Due to confusion over the applicable deadline, however, a one-time error occurred. Buggs Island Telephone offers its confusion over the posted General High Cost Filing Requirements not as an excuse for missing the October 1, 2005 deadline for its USF certification, but rather simply as an explanation of how it error occurred. Buggs Island Telephone also offers the fact that it made the USF certification filing in a timely fashion as evidence that it did not ignore its annual filing obligations.

Because Buggs Island Telephone took immediate corrective action upon discovery of its error in the annual certification filing, Buggs Island Telephone contends that an interruption of its ICLS support an entire quarter would frustrate the underlying purpose of the certification, and would not serve the public interest.

For the reasons stated above, Buggs Island Telephone feels that is has shown good cause for waiver of this filing deadline under Section 1.3 of Commission rules, as well as justification for such a waiver at the Commission's discretion under Section 1.925(b)(3). The waiver would serve the public interest by allowing Buggs Island Telephone to receive uninterrupted USF support for all of its ETC offerings. Expedited action is requested so that USAC may accept Buggs Island Telephone's October 3, 2005 filing of its annual USF Certification post marked September 29, 2005 as timely, allowing the data included in these filings to be incorporated into USAC's projections and support payments for the 1<sup>st</sup> quarter of 2006, and allowing Buggs Island Telephone to receive its full, uninterrupted USF support.

Respectfully submitted,

Buggs Island Telephone Cooperative

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